

FORM PTO-1390
(Rev. 12-2001)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371**

Attorney's Docket Number

CCS 0211 USNP

U.S. Application No. (if known, see 37 CFR 1.5)

10/519018

International Application No.

PCT/EP2003/006831

International Filing Date

25 June 2003

Priority Date Claimed

27 June 2002

Title of Invention

Spherical Pellet Containing A Water-Soluble Active Ingredient

Applicant(s) for DO/EO/US

Brian Strong, Martin Kloemkes, Dieter Bachmann


Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☐ The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☒ is attached hereto (required only if not communicated by the International Bureau), as well as the Published Application No. WO 2004/002398 A2
 - b. ☐ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☐ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☒ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)) has been filed in the PCT Request (Rule 4.17 (iv)). (unexecuted)
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A **FIRST** preliminary amendment.
14. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
15. ☐ A substitute specification.
16. ☐ A change of power of attorney and/or address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information: Preliminary Amendment
and Express Mail Certificate

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

U.S. APPLICATION NO. (if known, see 37 CFR 1.5) 10/7519018		INTERNATIONAL APPLICATION NO. PCT/EP2003/006831		ATTORNEY'S DOCKET NUMBER CCS 0211 US NP	
21. The following fees are submitted:				Applicant use	Office use only
<input checked="" type="checkbox"/> a) Basic national fee..... \$300.00				\$	
<input checked="" type="checkbox"/> b) Examination fee..... \$200.00				\$	
<input checked="" type="checkbox"/> c) Search fee..... \$500.00				\$	
TOTAL OF ABOVE CALCULATIONS = \$1000.00				\$ 1,000.00	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
- 100 =	/50 =		x \$250.00	\$	
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$	
Total claims	20 - 20 =		x \$50.00	\$	
Independent claims	2 - 3 =		x \$200.00	\$	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360.00	\$	
TOTAL OF ABOVE CALCULATIONS =				\$ 1,000.00	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$	
SUBTOTAL =				\$ 1,000.00	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				+	\$
TOTAL NATIONAL FEE =				\$ 1,000.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				+	\$
TOTAL FEES ENCLOSED =				\$ 1,000.00	
Amount to be refunded:					\$
Amount to be charged					\$1,000.00
a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed. 10/0750/CCS 0211 US/NP/MZ b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ 1,000.00 to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. _____. A duplicate copy of this sheet is enclosed. d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.					
NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.					
SEND ALL CORRESPONDENCE TO:					
 SIGNATURE Matthew B. Zisk NAME 45,257 REGISTRATION NUMBER					

DT14 Rec'd P. PTO 21 DEC 2004
10/519018

Express Mail Label No. EV 488942055 US
Docket No. CCS 0211 USNP

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: STRONG, Brian et al.

For: Spherical Pellet Containing a Water-Soluble Active Ingredient

Express Mail Certificate

"Express Mail" mailing number: EV 488942055 US

Date of Deposit: December 21, 2004

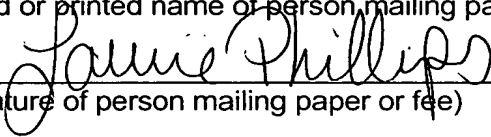
I hereby certify that this entry into the National Phase pursuant to 35 USC 371 contains complete application:

<input checked="" type="checkbox"/>	Express Mail Certificate	(1 page)
<input checked="" type="checkbox"/>	Return Receipt Postcard	(1 page)
<input checked="" type="checkbox"/>	PCT FORM 1390 Transmittal	(2 pages & 2 copies of same)
<input checked="" type="checkbox"/>	Copy of International Application as filed	(19 pages)
<input checked="" type="checkbox"/>	Declaration and Power of Attorney	(3 page)
<input checked="" type="checkbox"/>	Preliminary Amendment	(6 pages)
<input checked="" type="checkbox"/>	IDS Form 1449, MPEP 609D	(7 pages)

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee; service under 37 CFR 1.10 on the date indicated above is addressed to the Mail Stop: PCT, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450..

Laurie Phillips

(Typed or printed name of person mailing paper or fee)



(Signature of person mailing paper or fee)